

Allnutt	Green	Jarrett
Weems	Lackland	Nicols
Morsell	Simpers	Gallagher
Browner	Crookshanks	Starr
Freeman	Semmes	Griffith
Randall	Tuck	Pickell
Bowdle	Clemments	Brown
Handy of Som.	Dunbracco	Shaw—39.

So the House refused to strike out.

The question then recurred on assenting to the amendment submitted by Mr. Semmes, as amended.

Mr. Ristean moved the following as a substitute for the original bill and the said amendment:

“Section 1. Be it enacted by the General Assembly of Maryland, That His Excellency, the Governor, be, and he is hereby authorised and required, in case of the inability of the Attorney General of the State, to employ some counsel learned in the law, to cause such legal proceedings to be had as will foreclose the mortgages which the State of Maryland has upon the Chesapeake and Ohio Canal, for either loans made to the Chesapeake and Ohio Canal Company, or on account of subscriptions to the capital stock of the said company: Provided, however, if said company, or any person or persons for it, or for themselves, shall on or before the first day of July next ensuing the passage of this act, pay to the Treasurer of the Western Shore, eight million of dollars in the bonds of the State, issued as a loan to the said company, or to pay for capital therein, in evidences of debt of the said company at the nominal or par value thereof, that in such case no proceedings be had as aforesaid to foreclose said mortgages; but the Treasurer of the Western Shore shall thereupon transfer and assign to the said canal company, or such person or persons, as the case may be, all the interest of the State of Maryland, comprehending all liens and priorities of the State in said canal company, or in said canal, or in the incomes or revenues thereof.

“Sec. 2. And be it enacted, That if the Chesapeake and Ohio Canal Company, or some person or persons for it, or for themselves, shall fail to pay as aforesaid, the said amount on or before the first day of July next ensuing the passage of this act, and a decree shall be obtained for the sale of said work, that the Treasurer of the Western Shore be, and he is hereby authorised and directed to offer at the sale of said work, as a bid on the part of the State of Maryland, the amount of its claim against said corporation.”

Which was read.

On the question being put,

Will the House accept the said substitute?

On motion of Mr. Ristean,

The yeas and nays were required and appeared as follows:—